

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LAVELL D. FLY,)	
)	
Plaintiff,)	4:09CV3194
)	
v.)	
)	
SOCIAL SECURITY ADMINISTRATION)	ORDER
and STEVEN L. CRAVENS,)	
)	
Defendants.)	
_____)	

This matter is before the court on the motion of the Social Security Administration, Filing No. 9, to dismiss this case against Steven L. Cravens and to substitute the name of Michael J. Astrue as a defendant. Plaintiff has likewise filed a motion to amend his complaint and make this same substitution. Filing No. 13. The Court has carefully reviewed the motions and find they should be granted.

THEREFORE, IT IS ORDERED that:

1. Defendant Social Security Administration's motion to dismiss Steven L. Cravens as a named defendant and substitute Michael J. Astrue as a defendant in this lawsuit, Filing No. 9, is granted;
2. Plaintiff's motion to file an amended complaint substituting Michael J. Astrue as the defendant in this case, Filing No. 13, is granted;
3. The Clerk of the Court is ordered to delete or terminate Steven L. Cravens as a defendant in this case and substitute the name of Michael J. Astrue as a defendant in this case;
4. Filing No. 13 is considered the new amended complaint, and the government is ordered to answer or otherwise plead as to the amended complaint and to provide a transcript of the record in this case; and
5. The Clerk of the Court is directed to designate Filing No. 13 as the Amended Complaint.

DATED this 13th day of April, 2010.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge